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TECH CENTER 1600/2900 Docket No. J&J 1763

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Anthony J. Fist, et al.

Serial No. : 09/600,500

Art Unit:

Filed : July 14, 2000

Examiner:

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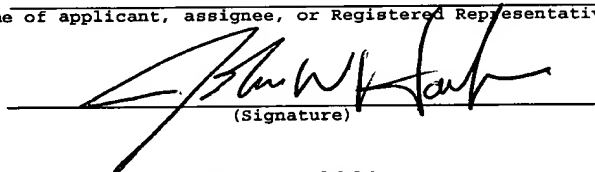
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John W. Harbour

(Name of applicant, assignee, or Registered Representative)



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Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

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information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e)
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- ☐ Please charge Deposit Account No. 10-0750/ /
the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ Copies of references listed on the attached Form PTO-1449 are not enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ These references listed on the attached Forms PTO-1449 (J&J 1618) were previously cited by or submitted to the Patent and Trademark Office in

prior application Serial No.: 08/678,208 filed
July 11, 1996, and which has now issued as US
Patent No. 6,067,749.

☐ There are no listed references which are not in the
English language.

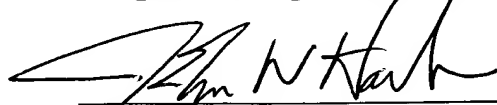
☐ The relevance of those listed references which are not
in the English language is as follows:

☐ Attached are copies of search report(s) from
corresponding patent application(s), which are listed on the
attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending
patent applications which may be deemed relevant, which are
listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to
Deposit Account No. 10-0750/J&J 1763/JWH. This form is
submitted in triplicate.

Respectfully submitted,



John W. Harbour
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DATED: May 2, 2001

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

Application Number	09/600,500
Filing Date	July 14, 2000
First Named Inventor	Anthony J. Fist, et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	J&J 1763

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		FAIRBURN, J.W. AND HELLIWELL, K., <i>Papaver bracteatum</i> Lindley: thebaine content in relation to plant development, I. Pharm. Pharmac., 1977, 29, pgs. 65-69.	
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**


Docket No.

J&J1618

Serial No.

08/678,208

Applicant

Anthony John Fist, et al

Filing Date

July 11, 1996

Group Art Unit

RECEIVED**U.S. PATENT DOCUMENTS**

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Exam'r Init.	Document No.	Date	Name	Class	Sub Class	File Date

FOREIGN PATENT DOCUMENTS

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OTHER REFERENCES (include author, title, date, pertinent pages, etc.)

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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION 	Docket No.	Serial No.
	J&J TECH CENTER 1600/2800	08/678,208
	Applicant	
	Fist et al.	
Filing Date	Group Art Unit	
July 11, 1996	1651	

U.S. PATENT DOCUMENTS

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OTHER REFERENCES (include author, title, date, pertinent pages, etc.)

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	Foradling av vallmo (Papaver somniferum) (poppy breeding summary page 248) Roland Jonsson

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